

## Message Text

CONFIDENTIAL

PAGE 01 TAIPEI 05590 240226Z  
ACTION EA-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10  
L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11  
HA-05 /071 W  
-----091873 240231Z /12  
R 220927Z AUG 78  
FM AMEMBASSY TAIPEI  
TO SECSTATE WASHDC 8682

C O N F I D E N T I A L TAIPEI 05590

E.O. 11652: GDS  
TAGS : PINT, TW  
SUBJECT : CHUNGLI RIOT SENTENCES: APPEALS DECISION

REF: TAIPEI 02462

1. THE TAIWAN HIGH COURT ON AUGUST 11 ANNOUNCED ITS  
DECISION IN THE REVIEW OF SENTENCES GIVEN TO DEFENDANTS  
IN THE CHUNGLI RIOT (REFTEL). OF THE EIGHT DEFENDANTS,  
PRISON SENTENCES WERE REDUCED FOR FIVE, REDUCED AND  
SUSPENDED FOR TWO, AND ONE WAS ACQUITTED ON GROUNDS OF  
INSUFFICIENT EVIDENCE.

2. LOCAL NEWSPAPERS REPORTED THE RESULTS OF THE TRIAL,  
AS FOLLOWS:

YANG SHENG-KUO (0948): TERM REDUCED  
FROM TWELVE YEARS TO SEVEN YEARS AND SIX MONTHS.

CH'EN CHIN-HO (7115/6855/0735): TERM REDUCED FROM  
TWO YEARS AND TEN MONTHS TO ONE YEAR AND TEN MONTHS.

HSU CH'ING-LUNG (6079/3237/7893): TERM REDUCED FROM  
TEN YEARS TO SEVEN YEARS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 TAIPEI 05590 240226Z

LIN I-SHENG (2651/4135/3932): TERM REDUCED FROM  
FOUR YEARS TO THREE YEARS.

TSENG CHIN-FU (2582/6855/1381): TERM REDUCED FROM  
THREE YEARS AND TWO MONTHS TO TWO YEARS AND SIX MONTHS.  
- LIN TS'AN-MING (2651/3605/2494): TERM REDUCED FROM  
THREE YEARS AND SIX MONTHS TO ONE YEAR AND FOUR MONTHS.

LIN'S PRISON TERM WAS THEN SUSPENDED (SEE PARA 3)  
AND HE WAS RELEASED ON BAIL ON AUGUST 11, 1978.

- CHUNG MING-CHIH (6945/2492/1807): TERM REDUCED FROM  
TWO YEARS AND FOUR MONTHS TO ONE YEAR AND SIX MONTHS.  
CHUNG'S PRISON SENTENCE WAS SUSPENDED AND HE WAS  
RELEASED ON BAIL ON AUGUST 11.

- P'AN T'ANG-HUANG (3382/1016/3552): P'AN HAD BEEN  
SENTENCED TO THREE YEAR'S IMPRISONMENT BY THE TAIPEI  
DISTRICT COURT, BUT WAS ACQUITTED BY THE TAIWAN HIGH  
COURT FOR LACK OF SUFFICIENT EVIDENCE, AND WAS RELEASED  
ON AUGUST 11, 1978.

3. UNDER PROVISIONS OF THE CHINESE CRIMINAL CODE,  
PART 1, CHAPTER IX, ARTICLE 74, PRISONERS CAN BE  
RELEASED ON BAIL FOR A PERIOD OF TIME AND IF THEY  
COMMIT NO FURTHER CRIMES THEIR SENTENCES ARE DROPPED AT  
THE COMPLETION OF THE DESIGNATED PERIOD. IF THE PERSON  
COMMITTS ANOTHER CRIME HE CAN THEN BE SENTENCED FOR THE  
NEW CRIME AND REQUIRED TO SERVE THE PRISON TERM FOR  
THE CRIME FOR WHICH THE SENTENCE WAS SUSPENDED WHILE  
ON BAIL. BOTH LIN AND CHUNG HAVE BEEN RELEASED ON BAIL  
WITH SENTENCES SUSPENDED FOR THREE YEARS. IF NEITHER  
COMMITTS A NEW CRIME DURING THIS PERIOD, THEY WILL THEN  
BE FREE OF THE CHUNGLI SENTENCE.  
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 TAIPEI 05590 240226Z

4. COMMENT: AS NOTED PARA 9 REFTTEL THERE HAS BEEN  
NO LINK MADE BETWEEN THE CHUNGLI DEFENDANTS AND  
OPPOSITION POLITICIANS. SUFFICIENT TIME HAS PASSED  
SINCE THE ORIGINAL TRIAL SO THAT THE APPEALS DECISION  
HAS GENERATED LITTLE INTEREST. IT APPEARS UNLIKELY AT  
THIS POINT THAT ANYONE, INCLUDING OPPOSITIONISTS, WILL  
COMMENT ON THE COURT RULING SINCE THE GROC HAS  
DEMONSTRATED A DEGREE OF LENIENCY AND IT DOES NOT SERVE  
THE GROC OR OPPOSITIONIST INTERESTS TO REHASH THE  
CHUNGLI INCIDENT.

5. WE DO NOT BELIEVE THAT THE HIGH COURT'S RULING  
CARRIES WITH IT ANY POLITICAL MESSAGE. WHILE IN VIEW  
OF THE UNUSUAL CIRCUMSTANCES OF CHUNGLI THE EXECUTIVE  
MAY HAVE "GUIDED" THE COURT IN ITS  
DECISION, THE REDUCTION OF SENTENCES DOES NOT APPEAR  
TO BE DESIGNED OR TIMED TO INFLUENCE THE CLIMATE FOR  
THE DECEMBER ELECTIONS. UNGER

NOTE BY OC/T: MESSAGE DELAYED IN TRANSMISSION.

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** CIVIL DISORDERS, COURT DECISIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 22 aug 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1978TAIPEI05590  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D780345-1155  
**Format:** TEL  
**From:** TAIPEI  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1978/newtext/t19780836/aaaabdny.tel  
**Line Count:** 115  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** 5acabf5d-c288-dd11-92da-001cc4696bcc  
**Office:** ACTION EA  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** 78 TAIPEI 2462  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 29 jul 2005  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 1655447  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** CHUNGLI RIOT SENTENCES: APPEALS DECISION  
**TAGS:** PINT, TW  
**To:** STATE  
**Type:** TE  
**vdkgvwkey:** odbc://SAS/SAS.dbo.SAS\_Docs/5acabf5d-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014